

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA  
Montana Eighth Judicial District Court, County of Cascade

STATE OF MONTANA,	)	
	)	
Plaintiff,	)	
	)	CAUSE NO. DC-13-414
vs.	)	
	)	DECISION - WAIVED
CHARLES ALLEN PRICE,	)	
	)	
Defendant.	)	

On October 4, 2016, the District Court revoked the Defendant's suspended sentence for violating the conditions of his probation, and sentenced the Defendant to a five (5) year commitment to the Department of Corrections, with no time suspended, for the offense of Count I: Sexual Intercourse Without Consent, a Felony, in violation of §45-5-503, MCA (2011). The Court ordered that Defendant be ineligible for parole until Phase I and Phase II of sex offender treatment was completed. The Court granted credit of 188 days time served. The Court reinstated the Conditions as set forth in the written Sentencing Order dated February 2, 2014.

On February 2, 2017, the Defendant's application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court.

The Defendant was present and was represented by Brent Getty of the Office of the State Public Defender. The State was not represented.

Before hearing the Application, the Defendant was advised that the Sentence Review Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant was further advised that there is no appeal from a decision of the Sentence Review Division. The Defendant acknowledged that he understood this and asked to speak to his attorney privately. After consultation, Defendant's attorney informed the judges that the Defendant did not wish to proceed. Mr. Price acknowledged that he wanted to waive.

Therefore, it is the unanimous decision of the Sentence Review Division that the application for review of sentence is **WAIVED**.

Done in open Court this 2<sup>nd</sup> day of February, 2017.

DATED this 8 day of March, 2017.

SENTENCE REVIEW DIVISION



Hon. Brad Newman, Chairperson



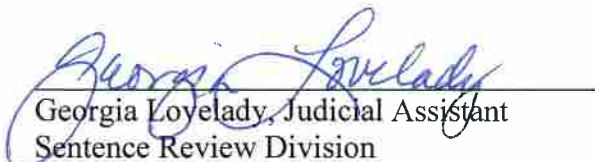
Hon. Kathy Seeley, Member



Hon. Brenda Gilbert, Member

Copies mailed this 9th day  
of March, 2017, to:

Clerk of District Court (Original)  
Charles Allen Price #3013220, Defendant (2)  
Hon. John Kutzman  
Peter Ohman, Defense Counsel  
Ashley Wilkenson, Esq.  
Board of Pardons and Parole  
MSP - Records Dept.



Georgia Lovelady, Judicial Assistant  
Sentence Review Division